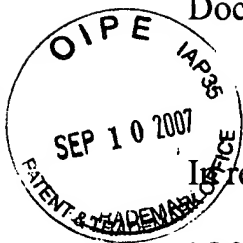


APR 2/66

Docket No. 1363-006

Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

JOSEPH ANDREW MELLMER et al.

Serial No.: 09/670,783

Group Art Unit: 2166

Filed: September 27, 2000

Examiner: Woo, Isaac M.

For: MANAGING DIGITAL IDENTITY INFORMATION

REPLY BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Examiner's Answer dated August 6, 2007, the Appellant provides the following comments.

First, it appears the Examiner is confused about both granting and excluding rights relative to a system administrator which, as he phrases it, "does not make sense." *Examiner's Answer*, p. 15, ¶ 10. To clarify, a "vault" of the claims¹ has contents (e.g., safe objects/profiles). In turn, the vault has need of a system administrator to manage computing concerns, while the contents of the safe relate to digital identities of users, to which the system administrator is excluded from ever accessing. By reading the claim limitations in context, and in their entirety, the terms "vault" and "safe objects" coexist as two structures afforded "granted" and "excluded" rights relative to system administrators, respectively. It is not the situation that a single structure has excluded and granted rights at the same time.

¹ The language of each claim controls its actual meaning. The argument presented here, however, is based primarily on claim 1, but phrased simply to illustrate the point and extends to all claims.

Second, the Examiner mentions in his Answer that the claims "fail[] to particularly point out and distinctly claim the subject matter which applicant regards as the invention." *Examiner's Answer*, p. 15, ¶ 10. While not entering a new ground of rejection, the quoted language is similar to that of 35 U.S.C. §112, second paragraph, and that used in an Examiner's form paragraph when entering such a rejection. The record herein needs to reflect there has been no new ground of rejection entered. In the alternative, if a new rejection is being entered via back-handed reference to the language of the statute, the Appellant submits the claims are indeed definite, in conformance with all applicable laws. Namely, the claims conform to the statute because each has a different structure, e.g., a vault or vault contents, afforded granted- or excluded-rights relative to a system administrator. It is never the situation that a single structure has excluded and granted rights at the same time, as the Examiner seems to inappropriately argue. In claim 1, the granted or excluded rights, per different structures, are seen as follows:

1. (Previously Presented) A computer server system for managing digital identity information, comprising at least one processor in operable connection with a memory configured by a database, the database including a vault for storage of multiple user objects for multiple users, ***the vault having access rights granted to a system administrator for management of the multiple user objects***, each of the user objects having a corresponding safe object, ***the safe object containing multiple different profiles accessed and administered exclusively by a single one of the multiple users at the exclusion of the system administrator***, each profile including digital identity information provided by the single one of the multiple users and operable to be shared with other of the multiple users having other multiple different profiles accessible and administered

exclusively by the other of the multiple users, the sharing occurring exclusively upon initiation by the single one of the multiple users.

Similarly, claims 90 and 98 show it as:

90. (Previously Presented) A computer server system for managing digital identity information, comprising one or more processors in operable connection with one or more memories defining a vault for storage of one or more safes of digital identities, *the vault* including an access protocol layer, an identity server layer and an identity manager layer and *having access rights granted to one or more system administrators* including management of the one or more safes of digital identities of one or more accounts of end users, *the one or more safes of digital identities having multiple profiles each with access rights granted exclusively to the end users via the one or more accounts including the exclusion of access rights of the one or more system administrators*, the multiple profiles being shared amongst the end users at the exclusion of the one or more system administrators.

98. (Previously Presented) A configured computer-readable storage medium that manages digital identities, *comprising a vault for secure storage of one or more safes of digital identity profiles, the vault* having an access protocol layer, an identity server layer and an identity manager layer and *having access rights granted to a system administrator for*

management of the safes of digital identity profiles, the one or more safes of digital identity profiles having access rights granted exclusively to one or more end users at locations remote from the vault, the one or more safes of digital identity profiles further including multiple profiles shared amongst the end users at the exclusion of the system administrator.

For at least the foregoing, it is respectfully requested that the rejections of the pending claims be reversed and the application remanded to the Examiner for allowance.

To the extent any fees are due beyond those authorized in the originally filed fee transmittal for filing a Notice of Appeal and brief in support thereof under 37 C.F.R. §§41.20(b)(1) and (b)(2), the undersigned authorizes their deduction from Deposit Account No. 11-0978. Also, the Appellant submits that this Reply Brief complies completely with 37 C.F.R. §41.41. Among other things, no new or non-admitted amendment, affidavit, or evidence, of any sort, is submitted and such is timely filed within two months of the date of the Examiner's Answer.

Respectfully submitted,

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